

# City Council Work Session

December 1, 2008

5:30 PM

Community Center

## ATTENDANCE:

**Mayor/Council** (please check)  Tussing,  Ronquillo,  Gaghen,  Brewster,  Pitman,  Veis,  Ruegamer,  Ulledalen,  McCall,  Astle,  Clark.

**ADJOURN TIME:** 8:45 p.m.

## Agenda

<b>TOPIC #1</b>	<b><i>Public Comment</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

- **Kim Prill, 4440 Ridgewood Lane**, stated she represented BikeNet and expressed support for the Main Street pedestrian underpass. She said she understood the high cost but the capital investment in the trail system was necessary.
- **Nash Emerick, 28 Broadwater**, said he also supported the bike trail system investment. He said the City was receiving a larger than usual amount of CTEP funding and applying it to a bike project was important compared to other projects. He noted that taking the CTEP money away from projects did not eliminate the need for them.
- **Cynthia Lauwers, 546 Aronson**, said she wanted to report that the traffic on Aronson had increased to about 200 cars every half hour. She said it was suggested that speed humps be installed to control the speed on the street.

<b>TOPIC #2</b>	<b><i>Bench Boulevard &amp; CTEP Projects – County Commissioners</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Mayor Tussing welcomed County Commissioners Bill Kennedy and Jim Reno. Ms. Volek said there was no presentation on Bench Boulevard but staff was present to answer questions. Councilmember Veis suggested a brief report from staff.

Public Works Director Dave Mumford advised that they were looking to add to the scope of work to design a connection on the east side of Main. Councilmember Ulledalen advised that the Council looked at two options; one cost \$2 million and the other was \$10 million. He said the Council needed to prioritize those projects and determine which projects made sense.

Mayor Tussing stated that both Bench Boulevard and CTEP would be discussed at PCC but the thought was to have an informal discussion so the County Commissioners could advise what their contribution would be.

County Commissioner Jim Reno stated that Bench Boulevard was one of three major road projects on the to-do list. He said that although Aronson provided some relief, he hoped the bridge portion of the Bench connector could be done. He said a tunnel under Main Street may need to be phased into the future due to the cost and funding situations.

Mr. Mumford stated that the bridge had to be part of the entire project and it could not be split up. He said the entire connection from Bench to Main had to be built with the bridge as part of it in order to be a viable project under federal highway guidelines. He noted that it could be phased, but how it was funded had to be part of the plan. He said the portion of the project that consisted of an at-grade intersection at Main Street that connected to Bench would cost approximately \$12 million and the State would want a coordinated project as well from where that project ended to Hilltop. He said the entire project with the underpass would exceed \$30 million and would require about \$15 million for the full project.

Mayor Tussing asked about the minimum that could be done, given the State's requirements, and if there were federal funds available that would not take away from other planned or in-progress projects. Mr. Mumford responded it would be \$12-15 million project which included the work to Hilltop. He said a federal appropriation was moved to that project but the local match of \$1.5-2 million would still be required to continue the project.

Commissioner Reno asked about the value of the County land donation. Mr. Mumford responded that it reduced the cost of the local match about \$60,000 if the value of the land was about \$350,000.

Mayor Tussing asked how the costs would be shared if split three ways. Mr. Mumford responded that it would be a negotiated decision. He said he felt that the project benefitted all three entities and each should participate in the match.

Councilmember Veis asked if the recommendation was an at-grade intersection and changing 4<sup>th</sup> and 6<sup>th</sup> Avenues to two-way streets. Mr. Mumford said that was what was discussed with DOT and that included the bridge over Alkali Creek. He noted that the match money was set aside at the beginning, but when the funding changed, the scope changed and the money was used for other projects.

Mayor Tussing asked when the match would be required. Mr. Mumford explained that small amounts would be spent and when the project was ready to go to construction, in about three years, the match would be needed. He noted that about \$80,000 had been spent on the project to date.

Commissioner Bill Kennedy commented that Mr. Mumford had not been to PCC with the project yet but it had been discussed in several other formats. He asked how they would trust that he'd return to them to talk about the project.

Mr. Mumford responded that on multiple occasions, the PCC had been told by both he and Stefan Streeter from DOT, that there were funding problems with the Bench project. He said he needed to find out options for his bosses. Ms. Volek advised that Mr. Mumford's account was accurate and that a joint meeting was not held previously until direction came from the Council.

Councilmember Ulledalen advised that he laid it out at the last PCC meeting but Commissioner Kennedy was not present.

Commissioner Reno asked if it was correct that Aronson would be tied to Bench and if so, how we could afford it. Mr. Mumford responded that they would investigate whether it would work. He explained that if the intention was to relieve congestion in the Heights, they needed to look at what would accomplish that. He said he did not believe that a connection from the east side only would do much to relieve the congestion on Main Street.

Councilmember Pitman said the City did not know what the impacts were of Aronson, Airport Road and the Inner Belt Loop to Main Street traffic. He said as much as alternative routes were provided, the growth occurred twice as fast.

Councilmember Veis stated that if the joint meeting had not been held, Mr. Mumford and Ms. Volek would have met with Commissioners to present the option discussed. He said in addition to the option presented, they wanted to do the traffic modeling analysis that MDT offered to provide, and if feasible, would try to connect to Aronson. He said the Council wanted to know how the Commissioners felt about that option.

Commissioner Kennedy said he wanted to see the real plan before he could decide.

Councilmember Ulledalen advised that in prioritizing the project, they should determine how much was traffic congestion relief and how much was to improve access to Metra because he thought they were two separate issues.

Councilmember Astle asked if there was any thought to using the back exit from Metra. Mr. Streeter said he was not aware of the exit and could not answer without more information.

Commissioner Reno said he needed to see pictures before he could prioritize the project. Mr. Mumford advised that pictures did not exist because a design study had not been done. He noted that it would probably take another 4-6 months to amend the contract to get a preliminary design.

Mayor Tussing said his preference was to start phasing it in two to three years from now when the money was available.

Mr. Mumford explained that there was a safety concern on the State's part if the whole project was not done. Mr. Streeter added that the same earmarked funds would be used for that.

Commissioner Reno asked if the estimates could be lower since the project estimates were done six months ago when the economy was stronger. Mr. Mumford explained that construction costs had risen 8-12% annually during the last seven years which was irrelevant to the falling oil prices.

Mr. Mumford advised that the scope study cost was about \$150,000 and that amount was included in the budget.

Councilmember Ronquillo asked if the state would still have the money in three years. Mr. Streeter advised that he did not know if the state could legally make up one-third of the match based on current policies. He said they could get started with a consultant to design the section where it connected to Hilltop which would be state matched.

Commissioner Reno asked if it was possible to repay the \$80,000 spent by the City and then have the State take over the project.

Commissioner Kennedy explained that Bench was a priority identified ten years ago and when projects kept shifting, it was difficult to keep asking legislators for money.

Councilmember Ulledalen said the City was growing and transportation improvements were needed and it was about how much of the proposal was access to the Heights and how much was access to the Metra. He added that the Council had to prioritize how to build the infrastructure that was needed for the next ten years.

Councilmember McCall stated that the City needed to maintain contact with the Commissioners and she suggested setting up a committee to establish timelines and what was needed to answer questions.

Councilmember Veis summarized the three options discussed: 1) proceed with the option discussed earlier; 2) do the tunnel which would cost the City \$15-20 million; 3) pay back the funds and step away from it. He said he believed most of the Council agreed it wanted to move forward with the first option discussed. He asked the Commissioners if that was an option they were interested in as well. He noted that the proposed option included a \$1.5-2 million match.

Commissioner Reno asked if the Council was looking for match participation. Councilmember Veis responded that the City would probably try to move forward even if the match was not made by the County.

Commissioner Reno advised that the proposal should be formalized in writing for their response.

Mr. Mumford advised the City needed to work with MDT about options because if the City took it all, the Inner Belt Loop would be delayed about five years due to the funding.

Councilmember Ulledalen advised that County's level of contribution would impact the City's decision.

Councilmember Clark stated he did not want to delay the inner belt loop project because he felt it was more important to traffic congestion than the Bench project.

Mr. Mumford said he could describe the options, costs, and possible funding, and would try to have it complete by the end of the second week in December.

#### *CTEP Discussion:*

Mayor Tussing advised that bids for the underpass came in about \$1 million more than estimated and the Council let the bid expire. He asked Transportation Planner Scott Walker to provide a review of the projects and funding.

Mr. Walker explained there were three projects (Bannister Drain, Main Street Underpass, Lampman Strip Park) from before 2008 that were currently on the books and prioritized in the process. He advised that during the 2008 selection process, they were advised that all three projects were over budget and the Technical Advisory Committee recommended using 2007 and 2008 funds to complete those projects and \$200,000 in design funds would have to be repaid if we did not proceed with them. He said the available funds would also fund the overruns for the three projects.

Mayor Tussing asked about the timeline if the Main Street project was re-bid. Councilmember Veis commented that it was bid twice and the cost was based on the specialized kind of construction, not the materials, etc. so the bids would probably not change significantly. Discussion continued about possible alternate designs for the project. Mr. Walker stated that a \$495,000 federal grant was awarded to address the Alkali Creek trail system. He noted it had been a priority since 2003 and still appeared to be one.

Commissioner Kennedy stated he felt the public would prefer a less expensive project and be able to spend money on other priorities.

Councilmember Veis asked about an at-grade crossing. Mr. Walker responded that he did not know if that was an option.

Councilmember Pitman asked how the \$200,000 had been spent. Mr. Walker said it was for early planning and public participation that led to the design.

Mayor Tussing asked about BikeNet's commitment to the project. Mr. Walker advised they informally offered to contribute \$120,000 to the project.

Mr. Walker explained that the plan was to get the trail to the sidewalk on the west side of Main Street. He said a project not yet approved was to create a connection from Main Street to the Jim Dutcher Trail. Commissioner Reno asked if it was conceivable to construct a bridge across Main at the Applebees location. Mr. Walker responded that it would require a change of scope. Commissioner Kennedy stated that it sounded like the Main Street project had major problems and should be further reviewed.

Councilmember Ulledalen asked if the other two connections would have to be redesigned if the Main Street tunnel was not built. Mr. Walker said they would.

Councilmember Astle suggested finishing the Bannister Drain and Lampman Strip Park projects.

Commissioner Kennedy asked if the Shiloh Road project would be held up if the landscaping was not funded. Mr. Streeter responded that what was planned was minimal and the CTEP money would be helpful. Commissioner Kennedy asked if the City was willing to proceed with the minimal landscaping and then add to it with future CTEP funds so the project would not be delayed.

Commissioner Reno asked if many of the 2008 projects could be completed if the underpass was eliminated. Mr. Walker responded that was the decision of PCC. He stated that there were no time constraints but the sooner the better because costs should be less. Mayor Tussing asked if it was possible to estimate the cost and how long it would take to get alternatives for a Main Street crossing. Mr. Walker advised some alternatives existed and could be reviewed and forwarded to Council.

Councilmember Ulledalen said he was not interested in the tunnel at that price. He said if the trail system was to keep moving, they needed to figure out what other projects could be done. Commissioner Kennedy advised that he agreed and suggested looking at the other projects to see what could be completed.

Councilmember Veis said he agreed but did not want to give up on a Main Street crossing and wanted to give direction for alternatives to be presented. Mr. Walker advised he could have cost estimates for alternatives in a couple of weeks.

Commissioner Kennedy offered to schedule a meeting with the City, County and Helena MDT representatives to review projects and planning. Councilmembers agreed it was a good idea.

Mr. Walker advised that alternatives would go to TAC prior to presentation to Council.

Discussion was held regarding funds for Shiloh Road landscaping and the need to know what funds could be allocated to that project before it was bid.

#### *PCC Representation:*

Mayor Tussing explained there had been discussion on the Council about changing the PCC bylaws to include more voting representation.

Councilmember Veis advised that the proposal was to have a Council representative on the PCC rather than defaulting to the Mayor. He stated that the proposal also suggested three Commissioners and three Councilmembers on the PCC. Commissioner Reno stated that additional voting members could dilute the MDT and Planning Board votes. Planning Director Candi Beaudry stated that the PCC planned to discuss changing the bylaws so that a Council representative would be a member rather than the Mayor. She said it was their understanding that was the only requested change and the voting would remain the same because if the voting changed, it would require approval by the State.

Mayor Tussing stated he did not object to the change but a future Mayor may want to be the representative. Councilmembers agreed it made the most sense to have the most interested person represent the City.

Commissioner Kennedy asked if there was a better time to hold PCC meetings to get more Councilmembers to attend. Councilmember Ulledalen stated he did not think it was a matter of numbers but about getting the most interested City representative at the meetings. He said that the times he attended the PCC meetings and participated in discussion, he found out that the same thing was discussed at the prior meetings so he got the sense that every PCC meeting had the same agenda and same discussion. He said he thought it would be helpful if the policy type decisions were kept between the elected officials and focusing on that at PCC meetings would be more effective.

Councilmember McCall stated that scheduling the PCC meeting earlier than 8 a.m. would be helpful for individuals who worked. Mayor Tussing requested that PCC meeting minutes be provided to all Councilmembers.

*A short break was taken*

<b>TOPIC #3</b>	<b><i>Mayor's Energy Commission Report &amp; Goals</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

City Administrator Tina Volek advised that Vice Chair Deb Singer was present to make a presentation and a report from the Commission was provided to Council previously. Ms. Singer stated she was present to provide a report of the activities of the past two years and to request guidance for the next two years. She reviewed the list of items addressed during the two years and noted that one still in process was performance contracting for city building energy conservation. She said the Commission's intention was to thoroughly research items before presenting them to council.

Ms. Volek advised that Mark Evangeline was the chief staff person appointed to the committee but was unable to attend. She expressed appreciation to the committee for its work. She stated the energy efficient program Ms. Singer referred to was in the form of an RFP that was being edited so it was easy to respond to. She said she expected it to be presented to the Council in January or February. Ms. Volek explained that the idea behind the energy audit was that the State authorized seven different engineering groups to work in that area. She said that was the RFP and the question was whether to do it for all City facilities.

Councilmember McCall asked if the Energy Commission would be reviewed at the end of its four-year term to determine if it should continue. Mayor Tussing advised that was correct.

Councilmember Ulledalen stated he was concerned about mission creep because he thought the Commission had gotten a little distracted from the mission envisioned by the Council. He said he may present an initiative so the Council could discuss it. He reviewed the mission statement and the section about advising the community on energy issues. He indicated he preferred to see the community focus was to reduce energy consumption.

Ms. Singer advised that she believed that wording came from the resolution that created the Commission but there was a wide scope that fit into that.

Councilmember Veis stated he would appreciate the Commission reviewing stormwater and what could be done to reduce the amount that went into the system. He suggested a recommendation of building code changes. Councilmember Ulledalen commented that was still within the scope of what they were talking about but the biodiesel test was an example of something that wasted time and energy. Mayor Tussing disagreed and said the biodiesel test project was not a waste because the results were now known and the project was halted at the right time. Councilmember Gaghen agreed with Mayor Tussing that it was good that the City at least attempted it with the understanding that it would not be implemented if it was not economically feasible.

Councilmember Ruegamer commented that animal fat was never considered and he was aware of people who used that in their vehicles. Councilmember Clark stated there was not a large enough supply of that product to make it feasible.

Councilmember Pitman suggested seeing a list of the positive efforts that were being made and the savings realized from them. Ms. Singer explained that one of the first projects of the Commission was to identify efforts that were underway and the City had taken the initiative to reduce its energy consumption.

Ms. Singer invited Councilmembers to the Commission's meetings held the 2<sup>nd</sup> Monday of each month at the Public Utilities office.

*Mayor Tussing stated that if there was no objection, the Cottonwood Park item would be discussed as the next item.*

<b>TOPIC #4</b>	<b>Cottonwood Park Buy/Sell Agreement</b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

City Attorney Brent Brooks reported that the item was on the December 8 Consent Agenda so a staff memo and attachment would be provided. He said the School District #2 Chairperson Kathy Kelker was in the audience to answer questions, as well as the School District's attorney Jeff Weldon. Mr. Brooks explained that Cottonwood Park was a park the City received through a development agreement about six years ago and that development agreement envisioned the sale of a tract of land within that parcel to the School District. He said the final draft of a purchase and sale agreement would be the document presented for approval at the next Council meeting. Planning Director Candi Beaudry distributed a display of the proposed tract of land to be sold.

Mr. Brooks said the City would be asked to approve the purchase and sale agreement at the December 8 meeting and the School District would consider it at its December 15 meeting. He said that sale would be recorded as Amended C/S 1815. Mr. Brooks reviewed the timeline and documents involved in the process.

Ms. Kelker expressed appreciation for the discussions that had been held on the topic. She pointed to page three of the agreement and the issues that were of concern to the Council regarding remediation and development costs. She said she believed those items were satisfactorily addressed.

<b>TOPIC #5</b>	<b><i>Briarwood Park Master Plan</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Park Planner Mark Jarvis recognized Parks Board members Mary Bonner and Richard DeVore. Mr. Jarvis said he would provide an update on the Briarwood Park Master Plan. He displayed a map of the park. He explained that the land was acquired through annexation in 2002. Mr. Jarvis advised that the need for the master plan was due to the lack of park facilities in the Briarwood area.

Mr. Jarvis advised that Peaks to Plains Design was retained to create a master plan in conjunction with staff. He reviewed the public meeting and input process that was used to develop three alternatives for Briarwood Park and then presented in a public meeting/input process. He said the result was a blend of two alternatives that was a total development of .46 acres with the remainder left natural.

Mr. Jarvis explained there were no waivers of protest in place in Briarwood so in order for the project to proceed, the residents had to vote to create an SID to complete the project. He mentioned that in May, 2008, the Parks Board recommended approval of the master plan. He noted that the plan was posted on the City's website if anyone wanted to review it in more detail.

Mayor Tussing asked about the cost and when it would be put to a vote. Mr. Jarvis responded that the rough estimate was approximately \$800,000 but it was uncertain what the cost would be per resident. Mr. Jarvis said the vote could be held after approval of the master plan if the residents wanted it.

Councilmember Ronquillo said he attended the public meetings and knew there were concerns about how many people would be assessed with an SID. He noted other concerns mentioned concerned maintenance of the sidewalk and the lack of restrooms. Councilmember Ronquillo stated that three options were presented but a fourth option was to leave it alone and he said the majority of people he talked with indicated that they wanted that option available to consider. Mr. Jarvis responded that there were people who spoke in favor of leaving it alone but there were also others who wanted something, so staff tried to balance that and thought the proposed plan was conservative and a realistic plan.

Councilmember Ruegamer asked if a park maintenance district would be created for upkeep. Mr. Jarvis responded it would.

Councilmember McCall asked if dogs would be allowed in the natural area. Mr. Jarvis said he assumed they would in the natural area, but that could be a discussion point as part of the development.

Councilmember Clark asked if the estimated cost included everything. Parks, Recreation and Public Lands Director Mike Whitaker explained that bond costs were not figured in, but everything else should have been included in the estimate.

Councilmember Gaghen said the plan was scaled down from what it could have been because there were people who wanted the development and those who did not. She said she believed the newer residents were more opposed to it and the developer had not communicated the possibility that the park would be developed.

City Administrator Volek pointed out that Council policy required a master plan for every park and development could not occur without one. She said Briarwood was among a long string of parks for which master planning had been done and some were not developed. She advised that if Briarwood was put to an SID vote and failed, it would remain a natural use, which could be common with the current economy. Ms. Volek said the plan would be on hand and if there was demand to develop it in the future, it could be utilized then.

Councilmember Veis stated that with the 400 plus property owners, it would be approximately \$2000 per property to develop the park as planned. He asked if that was realistic. Ms. Volek advised that it was atypical and noted that Rush Park's original assessment was \$4300 per household and alternatives were being explored.

Councilmember McCall asked for an average cost of a park master plan. Mr. Jarvis responded it depended on the size and complexity, but Briarwood's cost about \$15,000. Ms. Volek commented that was a reasonable price.

Councilmember Ulledalen stated that the Rush Subdivision park was hard for the neighborhood to deal with and they ran into the same problems as Briarwood.

Councilmember Pitman asked if a house could ever be built on the natural area of the parkland in Briarwood. Peaks to Plains representative responded that the area was part of the City's waterway so it could not be developed in that way.

<b>TOPIC #6</b>	<b><i>Sahara Park Master Plan</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Mr. Jarvis reviewed the location of the park just north of Aronson Avenue in the Heights. He explained the reason to look at the park was because the Better Billings Foundation expressed a desire to build a swimming pool in the Heights and wanted to discuss the possibility of putting it in parkland. Mr. Jarvis said he looked at a number of sites and that site seemed to be a good location, and the Better Billings group agreed. He said the master plan process began which included public meetings and input.

Mr. Jarvis reported that the Library had expressed a desire for a Heights library branch and that same parcel was identified as a potential use for a library or community center in addition to the aquatic park. He added that some type of bicycle or pedestrian connector was considered as well, along with a bus stop for access to public transportation. Mr. Jarvis reviewed design elements of the master plan for the approximate nine-acre area.

Mayor Tussing asked about the cost. Mr. Jarvis responded that there was no estimate yet because there were so many variables. He said some items could be funded with alternative

sources and an SID would not be used since it would be a regional or large urban park for city-wide use.

Councilmember Ruegamer asked if there was a study to find out how many people would use a pool. Mr. Whitaker responded that studies indicated people would drive 15-25 minutes for that type of amenity. Councilmember Ruegamer stated he felt it was a waste of time and money for a 10-week season. He said he did not foresee voter support.

Ms. Volek suggested delaying discussion on a swimming pool until the next agenda item when it was addressed. She explained that concession facilities and amenities at the pools paid the operating costs.

Councilmember McCall asked if that appeared to be the most ideal location in the Heights. Mr. Whitaker said the Foundation initially suggested Castlerock Park but staff preferred Sahara Park and he believed the Foundation agreed with that location. He noted that Castlerock was the site of many user groups that would be displaced if a pool was constructed. He added that the accessibility was better at Sahara Park as well.

Ms. Volek noted that Heights residents were the single largest users of the current City Library system, so that was part of the long-range plan to address the concern of Heights residents about the lack of amenities.

Councilmember Veis asked if options were considered for that park if it was determined that the aquatic facility was not viable. Mr. Whitaker advised that the master plan could be updated if changes needed to be made. Councilmember Veis asked if an alternate could be included in the master plan. Mr. Whitaker explained that master plans could be updated in-house, but the option could also be included.

<b>TOPIC #7</b>	<b><i>Heights Swimming Pool</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Chuck Barthuly, Director of the Better Billings Foundation, stated that the Heights pool was defeated by voters three times and after the third time, Harvest Church took a lead role in the project to try to provide that facility for the community. He explained that the Better Billings Foundation was formed as a 501(c)3 organization to receive federal appropriations and donations outside of the church. He said the Foundation's vision was to provide an aquatic facility and would enter into a \$5 million capital campaign, with approximately \$2.5 million anticipated from Harvest Church.

Mr. Barthuly provided an overview of the pool and site plan which contained different facilities for different age groups and users. Mr. Barthuly explained that Harvest Church had land to donate for the pool, but Sahara Park was a better site and more convenient location.

Councilmember Veis asked who owned the facility and who would be liable after the facility was built. Mr. Barthuly advised that it had yet to be determined, but the Better Billings Foundation was prepared to own and operate it, but preferred a turn-key operation donated to the City. Councilmember Veis asked if it would come with a maintenance fund. Mr. Barthuly responded that it would not.

Councilmember Gaghen asked if it was known how many employees would be needed to oversee the facility. Mr. Barthuly advised it would operate similar to Rose Park. Mr. Whitaker added that was typically not known until the design was completed.

Mayor Tussing asked what the Foundation wanted from the City. Mr. Barthuly advised that the first step was adoption of the Sahara Park Master Plan, and then an agreement between the Foundation and the City.

Councilmember McCall asked about the total cost for the facility. Mr. Barthuly responded that depended on the features but the estimate was \$5 million.

*The remainder of the meeting was not recorded.*

Mr. Whitaker stated that the master plan could be changed if pool was not built.

Councilmember Veis said details were needed before an agreement could be reached.

Councilmember Pitman stated that approval of the plan would open the discussions about the pool with neighbors.

Councilmember Veis stated he wanted details worked out before raising money, or at least simultaneously.

Mr. Barthuly advised that the Foundation wanted to raise money for a pool and preferred the Sahara Park site but if agreement was not reached with the City, it could be built on the Harvest Church property.

Mr. Whitaker suggested Council's approval for staff to work with the Better Billings Foundation on an agreement outline, and then a report to Council in about two months. He asked about approval of the master plan in the meantime.

Councilmembers agreed on that timeframe and process.

<b>TOPIC #8</b>	<b><i>Growth Policy</i></b>
<b>PRESENTER</b>	
<b>NOTES/OUTCOME</b>	

Planner Juliet Spalding advised that the packet contained the final draft of the Growth Policy Update that was recommended by the Planning Board. She noted that the chapter that had the most changes and was the meat of the plan was attached to the memo that accompanied the packet.

Ms. Spalding explained that the policy contained goals, objectives, strategies, etc. She said the Planning Board held several meetings to review and revise the plan. She said the public hearing would be held December 15, and Council had the choice to approve it as is, not approve it, or approve it with amendments.

Councilmember Veis asked how the plan related to the 12 criteria on zone changes. Ms. Spalding explained that one of the 12 criteria was whether the zone change was consistent with the growth policy.

Councilmember Veis asked how health strategies came about. Ms. Spalding advised that Riverstone Health requested it to determine how policies affected community health. Ms. Spalding reviewed how health strategies were related to development.

Councilmember Veis asked about conflicting elements. He explained that sidewalks could be needed for pedestrian and bike access, at the same time strategies could include reduction in the development infrastructure like road width and standard sidewalks. Ms.

Spalding responded that we did not have to comply with all elements, but used them for guidance.

Councilmember Clark asked if there would be ramifications if the policy was not approved at the December 15 meeting. Ms. Volek explained that land use applications could not be considered until update was adopted.

Ms. Beaudry advised that grants could depend on a compliant growth policy because the current growth policy stated it would be reviewed and revised every five years. She added that implementation was a list of options to adopt but not all or any had to be adopted.

Councilmember Veis commented that the number of strategies increased yet there were fewer planning resources. Ms. Beaudry explained that the Planning Department was not the only entity that would work on implementation of the strategies; the department would play a role, but not the primary one.

Councilmember Veis asked if approval of zone changes would be affected. Ms. Beaudry explained that the policy was not a regulatory document.

Ms. Volek suggested an annual review of the plan and implementation strategies. Ms. Beaudry advised that was done in the work plan, but could be expanded.

Mayor Tussing asked if there was validity to the complaints by the Board of Realtors. Ms. Beaudry said staff met with them and they understood that it was not an inflexible document; they had opportunity for input, but she did not know that many people participated and thought the overall impression was favorable. She noted there would likely be some complaints at the public hearing.

Councilmember Veis asked if gaming licenses could be restricted further. Ms. Beaudry replied that it could not be done right then, but legislation could be requested, and the phrasing could be changed to reflect that.

Councilmember Veis advised that he would move to delete the item regarding moving funds from highways to public transit.

Ms. Beaudry advised that comments could be reviewed at the public hearing so the public was aware of those issues. She said they would meet with the County Commissioners for the last time later in the week. Councilmember Ulledalen commented that the real issue was if the County allowed poor development near the City. Ms. Beaudry stated that there was a clear statement in the annexation policy and the growth policy referenced the annexation policy. She added that the growth policy was a joint policy with the City, County and Town of Broadview.

Councilmember Ronquillo referenced page 29, item 7 regarding State Avenue. He asked if the City would consider MDT's recommendation. Councilmembers agreed that discussion should not happen at that time because the Council previously agreed to allow MDT to convert State Avenue to three lanes.

Ms. Volek requested comments by December 8 so the policy could be revised prior to the December 15 meeting if necessary.

#### Additional Information:

Mayor Tussing inquired about the All American City application. Ms. Volek explained that she was reviewing it with John Brewer from the Chamber.